

Attorney's Docket No.: 06666-033002/USC-2857A

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 1-3, 5, 19, 26 and 28-32 stand rejected under 35 USC 112, second paragraph, as allegedly being indefinite.

Claim 1 includes antecedent for the "location" of line 8 in line 5. Hence, this rejection is respectfully traversed.

The objection to claim 13, lines 3-6, as not describing the elected species is respectfully traversed. Note that each of the reflector elements does in fact reflect towards another element in figure 2. For example, the reflector element 220 in figure 2 reflects a ray downwards (ray 4) which eventually reflects towards the reflector element 240. Hence, reflector element 222 reflects towards reflector element 224. Therefore, Claim 19 is correctly descriptive.

The confusion in Claim 30 has been corrected herein by amendment.

The lack of antecedent in Claim 31 has been corrected also.

By obviating the rejections under section 112 to Claims 19, 26 and 28-32, it is believed that these claims should be allowable since no art-based rejections were applied to these claims.

Attorney's Docket No.: 06666-033002/USC-2857A

Claims 1-3 stand rejected under 35 USC 102 as allegedly being unpatentable over Leddy et al. This contention is respectfully traversed.

As previously explained, Leddy et al. teaches an image simulation system using a DMD which produces an image on the screen. Each mirror represents one pixel of the image which is reflected onto the screen. The image itself is formed of multiple pixels. The position of the image is never changed, but the image itself changes.

In order to obviate the interpretation that the image is formed by moving different parts of the image in and out of the complete image, Claim 1 has been amended to recite forming the focused output beam "at said location without other optical beams surrounding said location". This obviates any interpretation that changing scene content moves the position of the optical beam. Again, the overall image stays in the same location.

Claim 1 should therefore be allowable over Leddy et al. for these reasons, along with the claims that depend therefrom.

Claim 3 defines that some of the moving mirrors move by a different amount than others. Since Leddy et al. teaches using a DMD, Claim 3 can certainly not be encompassed by the teaching of Leddy et al. In a DMD, each mirror moves by the same amount. Therefore, Claim 3 is even further allowable thereover.

Attorney's Docket No.: 06666-033002/USC-2857A

New Claims 33 and 34 are added herein, and further define that the number of positions at which the beam can be located is 2^n , where n is the number of bits. Claim 34 defines that the number of bits is more than one (see, for example, paragraphs 27-30 which describes the number of bits). The DMD of Leddy et al. only allows two different positions, and thus Claims 33 and 34 are further patentable thereover.

Claim 5 was rejected over Leddy et al. in view of Lin et al. With all due respect, Lin et al. does show different sized mirrors, but does not show different size moving mirrors. Therefore, Lin et al. would not be usable to modify Leddy et al. to use different size moving mirrors.

New Claim 35 is also submitted herewith, and corresponds substantially to a combination of Claim 1 prior to the current amendments, and new Claims 33 and 34. This obviates the rejection based on Leddy et al., since it specifies 2^n , where n is greater than one, different positions.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.


Attorney's Docket No.: 06666-033002/USC-2857A

Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply the \$175 extra claim fee, and any other applicable charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 30, 2006



Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

10635621.doc